

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of HALEY MARIE LAUNDRY,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

LEDEAN LAUNDRY,

Respondent-Appellant.

UNPUBLISHED

December 12, 2006

No. 271202

Chippewa Circuit Court

Family Division

LC No. 02-012728-NA

Before: Meter, P.J., and O'Connell and Davis, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(g), (i), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that at least one of the statutory grounds for termination of respondent's parental rights was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). It based its decision on evidence admitted in a prior case terminating respondent's parental rights and on evidence of respondent's actions since that termination.

Respondent's parental rights to Haley's half sister, Erin, were terminated in April 2003 due to serious and chronic neglect. Erin entered foster care severely delayed and under-socialized due to respondent's parenting, and the evidence in that case clearly established that respondent was unable to adequately care for a child and refused to comply with reunification services. When Haley was born in January 2006, she was removed from respondent at birth. The evidence showed that, since the time of the prior termination, respondent did not address the issues that prevented her from properly parenting a child, resisted offers of assistance by Adult Protective Services and Early Head Start, and made no progress toward becoming a suitable parent, with the exception of maintaining stable housing for six months.

Haley was removed from respondent at birth, and the evidence did not support termination under MCL 712A.19b(3)(g). However, evidence of the prior termination and respondent's demonstrated resistance to rehabilitation services did support termination under

MCL 712A.19b(3)(i), and the evidence that Haley would suffer harm in respondent's care, as had Erin, supported termination under MCL 712A.19b(3)(j).

Further, the evidence did not show that termination of respondent's parental rights was clearly contrary to the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The trial court did not err in going one step further and finding that termination was in Haley's best interests. Haley was not bonded to respondent and required proper nurture, which respondent was not able to provide.

Affirmed.

/s/ Patrick M. Meter
/s/ Peter D. O'Connell
/s/ Alton T. Davis